

This Notice Is Current Until Rescinded

PERSONNEL

20 May 1974

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STATUTORY CHANGES ON THE ADMINISTRATION
OF ANNUAL LEAVE

1. On 14 December 1973, the President signed into law Public Law 93-181, which focuses specific attention on the long-standing employee-management mutual responsibility to plan and schedule the use of annual leave throughout the year. The scheduling of leave is so important that the law makes such scheduling a prerequisite to the restoration of annual leave that may be forfeited because of exigencies of the public business or because of sickness. The law

- a. permits lump-sum payment for all accumulated and accrued annual leave, and unused restored leave to the credit of the employee at the time of separation;
- b. eliminates the restriction on the use of annual leave during the first 90 days of employment for all employees, except those on temporary appointments of less than 90 days;
- c. permits lost leave to be restored to the employee in cases where the leave is lost through no fault of the employee because of administrative error, exigencies of the public business, or illness when such annual leave was scheduled in advance;
- d. provides an employee with optional methods of refunding excess annual leave that an employee may have used because of administrative error;
- e. provides for the correction of administrative errors which resulted in the forfeiture of annual leave by former employees: and
- f. provides for the restoration of any annual leave that may be forfeited by an employee while he was in a missing status.

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2. POLICY FOR 1973 LEAVE YEAR ONLY. Because the law was not signed until 14 December 1973, the following interim policy has been established for the 1973 leave year only:

- a. If an exigency of major significance or lengthy period of absence due to sickness occurred during, immediately prior to the start of, or extended into the three bi-weekly pay periods prior to the end of the 1973 leave year, and thus prevented the scheduling, rescheduling, or use of annual leave to avoid forfeiture, the forfeited annual leave may be restored for later use.
- b. Operating Officials and Heads of Independent Offices, or Deputy Directors, as appropriate, will review the facts and circumstances in each case, and, if warranted and supported by adequate written documentation, may approve the restoration of the forfeited annual leave. Leave restored will be established as a separate leave account and must be used no later than the end of the leave year ending two years after (1) Illness - the date the employee is determined to be recovered and able to return to duty; (2) Exigencies - the date fixed by the authorizing official as the termination date of the exigency. For this purpose, it has been determined the date will be 5 January 1974 (end of 1973 leave year) for any forfeited 1973 leave which is restored (thus the restored leave for 1973 would have to be used by 1 January 1977).
- c. In reporting the use of restored leave, the Time and Attendance Clerk will enter in the "Remarks" section on the reverse side of the regular time and attendance report (Form 20 or Form 20d) the total number of hours of restored leave used and will reference these remarks by marking "x" in the space provided below Box C on the face of the form. The Control List will also be annotated with

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"Restored Leave Used" opposite the employee's name. In addition, the use of restored leave will be reported separately and submitted with the regular time and attendance forms at the end of each pay period, in which restored leave is used. This separate documentation is required to facilitate manual processing, which will be required by the Compensation and Tax Division, Office of Finance.

3. Employees who believe they are entitled to restoration of annual leave should consult their administrative officers.

4. Instructions are being prepared to guide supervisors and approving officials in administering annual leave under this new law.

FOR THE DIRECTOR OF CENTRAL INTELLIGENCE:

HAROLD L. BROWNMAN
Deputy Director
for
Management and Services

DISTRIBUTION: ALL EMPLOYEES